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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,129	02/13/2004	Sikun Lan	CITI0286-US	3809
27510 7590 07/19/2007 KILPATRICK STOCKTON LLP 607 14TH STREET, N.W. WASHINGTON, DC 20005			EXAMINER CERVETTI, DAVID GARCIA	
			ART UNIT 2136	PAPER NUMBER
			MAIL DATE 07/19/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/777,129

Applicant(s)

LAN ET AL.

Examiner

David G. Cervetti

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-40 are pending and have been examined.

Information Disclosure Statement

2. It is noted that no Information Disclosure Statement has been filed on this application.

Claim Objections

3. Claims 16 and 36 are objected to because of the following informalities:
"HTTPS" must be spelled out. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 20, and 40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "has not established a relationship" in the claims is a relative term which renders the claim indefinite. The term "has not established a relationship " is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The mere act of receiving a submission addressed to the second party establishes a "relationship" between the two.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 1-14, 16, 20-34, 36, and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Singhal (US Patent 6,938,022).**

Regarding claims 1, 20, and 40, Singhal teaches

- providing a secure response to a first party (**abstract**), comprising the steps of:
- receiving a first submission from the first party over a communications network, wherein the first submission is directed to a second party and includes an identifier associated with the first submission, and wherein the first party has not established a relationship with the second party (**abstract**);
- receiving a response to the first submission from the second party (**col. 16, lines 50-67**);
- storing the response for later retrieval by the first party or the second party (**col. 16, lines 50-67**);

- sending a notification to the first party, wherein the notification provides information for securely accessing the response (**col. 16, lines 50-67, col. 18, lines 10-65**);
- receiving a second submission from the first party wherein the second submission comprises information for correlation to the identifier provided in the first submission (**col. 16, lines 50-67, col. 18, lines 10-65**);
- authenticating the first party; and permitting the first party to securely access the response from the second party (**col. 7, lines 1-35**).

Regarding claim 21, Singhal teaches wherein the submission by the first party is made from a client system via a communications network (**abstract**).

Regarding claims 2 and 22, Singhal teaches wherein the communications network is the Internet (**abstract**).

Regarding claims 3 and 23, Singhal teaches wherein the identifier is a password (**col. 1, lines 35-67, col. 2, lines 1-51**).

Regarding claims 4 and 24, Singhal teaches wherein the identifier further comprises a user name (**col. 1, lines 35-67, col. 2, lines 1-51**).

Regarding claims 5 and 25, Singhal teaches wherein the user name is an email address (**col. 1, lines 35-67, col. 2, lines 1-51**).

Regarding claims 6 and 26, Singhal teaches wherein the first party is a user at a client system (**col. 1, lines 35-67, col. 2, lines 1-51**).

Regarding claims 7 and 27, Singhal teaches wherein the user is a prospect (**abstract**).

Regarding claims 8 and 28, Singhal teaches wherein the first party pre-registered with the second party prior to the submission by the first party (**col. 17, lines 1-40**).

Regarding claims 9 and 29, Singhal teaches wherein the submission from the first party is forms-based (**col. 17, lines 40-67**).

Regarding claims 10 and 30, Singhal teaches wherein the submission from the first party contains private information about the first party (**abstract**).

Regarding claims 11 and 31, Singhal teaches wherein the submission from the first party is received through a secure system (**abstract**).

Regarding claims 12 and 32, Singhal teaches wherein the second party includes a customer service representative (**col. 17, lines 40-67**).

Regarding claims 13 and 33, Singhal teaches wherein the response to the submission contains private information about the first party (**col. 17, lines 40-67, col. 18, lines 1-10**).

Regarding claims 14 and 34, Singhal teaches wherein the notification is an unsecured email notification (**col. 17, lines 40-67, col. 18, lines 1-10**).

Regarding claims 16 and 36, Singhal teaches wherein the information for securely accessing the response comprises an HTTPS link to an authentication page (**abstract, col. 1, lines 35-67, col. 7, lines 1-35**).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2136

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 15 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Singhal, and further in view of Benjamin et al. (US Patent 7,010,572, hereinafter Benjamin).

Regarding claims 15 and 35, Singhal does not expressly disclose wherein if the notification is bounced, the first submission is located and marked to indicate that the notification was bounced. However, Benjamin teaches wherein if the notification is bounced, the first submission is located and marked to indicate that the notification was bounced (**col. 5, lines 35-67**). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to keep track of bounced/undelivered emails. One of ordinary skill in the art would have been motivated to perform such a modification to provide dealing with such messages (**Benjamin, col. 2, lines 1-35**).

10. Claims 17-19 and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Singhal.

Regarding claims 17 and 37, Singhal does not expressly disclose recording the attempts to access the response. However, Examiner takes Official Notice that recording the attempts to access a response was conventional and well known. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide such feature with the system of Singhal since Examiner takes Official Notice that it was conventional and well known.

Regarding claims 18, 19, 38, and 39, Singhal does not expressly disclose preventing access to the response after a predetermined number of failed attempts / time period. However, Examiner takes Official Notice that preventing/locking access to resources after a predetermined number of failed attempts / time period expiration was conventional and well known. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide such feature with the system of Singhal since Examiner takes Official Notice that it was conventional and well known.

Conclusion


11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571)272-5861. The examiner can normally be reached on Monday-Tuesday and Thursday-Friday.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DGC

NASSER MOAZZAMI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100


7,14,07